

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

PAULA PARDUE for ANTHONY PARDUE,

v.

JO ANNE B. BARNART, Commissioner of
Social Security

3:03-0139

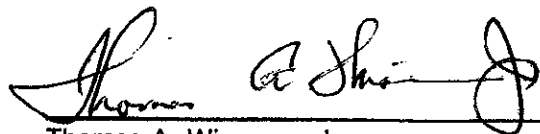
ORDER

Before the Court is the Report and Recommendation of Magistrate Judge Griffin in which she recommends Plaintiff's Motion for Judgment on the Administrative Record be denied in part and the matter remanded and Defendant's Motion for Judgment on the Administrative Record be denied. No objections have been filed.

The Court has read and considered the report of the Magistrate Judge and finds that the report is correct in law and fact. The Report and Recommendation is adopted by this Court.

For the reasons set forth in the Report and Recommendation, the Plaintiff's Motion for Judgment on the Administrative Record, Document #11, is DENIED to the extent that the Plaintiff seeks reversal and is GRANTED to the extent that the Plaintiff seeks remand. Defendant's Motion for Judgment on the Administrative Record, Document #13, is DENIED. This case is REMANDED under Sentence 6 of 42 U.S.C. § 405(g) for the Administrative Law Judge to further develop the record by receiving and considering any evidence that the Plaintiff's representative may have with regard to any of the Plaintiff's impairments and further review and/or provide good reasons to reject the opinion of Dr. Kinney.

It is so ORDERED.


Thomas A. Wiseman, Jr.
Senior U.S. District Judge